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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

DARRELL DURRAN,

Defendant and Appellant.

A156284

(Sonoma County  
Super. Ct. No. SCR-700082)

Appellant Darrell Durran appeals from a judgment of conviction upon a jury verdict finding him guilty of nine felony offenses. His appointed counsel filed a brief asking this court to conduct an independent review of the record under *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), without drawing our attention to any issues under *Anders v. California* (1967) 386 U.S. 738. Counsel also advised appellant of his right to file a supplemental brief, but no such brief was filed. We now affirm.

**I. BACKGROUND**

The Sonoma County District Attorney filed a second amended felony information charging appellant with the following offenses: first degree residential burglary (Pen. Code, § 459) (count 1); receiving stolen property exceeding \$950 in value (Pen. Code, § 496, subd. (a)) (count 2); driving a vehicle without consent with a prior conviction for vehicle theft (Veh. Code, § 10851; Pen. Code, § 666.5) (count 3); first degree burglary (Pen. Code, § 459) (count 4); receiving stolen property exceeding \$950 in value (Pen. Code, § 496, subd. (a)) (counts 5 & 6); fleeing a pursuing officer (Veh. Code, § 2800.2,

subd. (a)) (count 7); possession of firearm by a felon (Pen. Code, § 29800, subd. (a)(1)) (count 8); and possession of ammunition by a prohibited person (Pen. Code, § 30305, subd. (a)(1)) (count 9).

Appellant's case proceeded to jury trial and the case was tried over the course of seven court days. Prior to trial, appellant stipulated to a prior felony conviction for receiving stolen property. At the close of the evidence, defense counsel filed a motion to dismiss pursuant to Penal Code section 1118.1, which was heard outside the presence of the jury. The trial court denied the motion.

The evidence at trial tied appellant to a series of residential burglaries in the Petaluma area, including one in which a 2003 Acura was stolen and another in which a .38 caliber revolver was stolen. Based on a report from someone who saw appellant behaving in a suspicious manner near her home, police tracked appellant to a casino, where a stolen Acura was reportedly parked. While officers were monitoring the stolen Acura in the parking lot, it pulled out of the lot, suddenly accelerated, and fled, narrowly missing a patrol car.

Upon review of surveillance videos at the casino, the responding officers determined that the driver of the Acura was appellant. A short time later, based on a call from another Petaluma homeowner reporting a suspicious car in her driveway (which turned out to be the Acura), police tracked appellant to the caller's home, where they found and arrested him. Appellant explained his presence there based on a story that the homeowner said was false. In a search of appellant's home the evening of his arrest, police found cash and other property taken in the burglaries. Property taken from one of the burglarized homes as well as burglary tools were found in the Acura. Appellant's fingerprints matched fingerprints taken from the Acura.

The jury found appellant guilty on all counts. The aggregate sentence imposed of nine years and four months includes a six year term for one count of residential burglary (count 1), a consecutive term of one year and four months for the second count of residential burglary (count 4), and three consecutive terms of eight months each for receiving stolen property (count 6), fleeing a pursuing officer (count 7), and felon in

possession of a firearm (count 8). The court imposed a four-year concurrent term for driving a vehicle without the owner's consent (count 3). It stayed counts 2, 5, and 9 pursuant to Penal Code section 654.

Appellant filed a timely notice of appeal.

## **II. DISCUSSION AND DISPOSITION**

Following independent record review pursuant to *Wende, supra*, 25 Cal.3d 436, we are satisfied that no reasonably arguable factual or legal issues exist. The judgment and the sentence are affirmed.

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STREETER, Acting P.J.

We concur:

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TUCHER, J.

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BROWN, J.

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